

REMARKS

Claims 1-17, 20-36 and 38-60 are pending in the current application. Claims 18-19 and 37 have been cancelled. Claims 1, 2, 20-23, 25-31, 38, 45 and 47-48 have been amended. Support for the amendments may be found throughout the specification, for example, on page 12, lines 16-22, and in the original claims. No new matter is added.

ELECTION/RESTRICTION

A requirement for restriction has been made under 37 C.F.R. 1.499 between the inventions of Groups:

- I. Claims 1-17 and 45-46, drawn to methods of making a genetically engineered neisserial strain with an L2 immunotype of reduced phase variability by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene.
- II. Claims 1-4, 18-27, drawn to methods of making a genetically engineered neisserial strain with an L3 immunotype of reduced phase variability by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene.
- III. Claim 28, drawn to methods of making a genetically engineered neisserial strain with an L2 immunotype of reduced phase variability by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene and downregulating the expression of the gene product of the IgtC gene.
- IV. Claim 29, drawn to methods of making a genetically engineered neisserial strain with an L2 immunotype of reduced phase variability by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene and downregulating the expression of the gene product of the IgtB or IgtE gene.
- V. Claim 30, drawn to methods of making a genetically engineered neisserial strain with an L2 immunotype of reduced phase variability

by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene and either selecting a strain that is unable to synthesize capsular polysaccharide or downregulating the expression of the gene product of the saidD, ctrA, ctrB, ctrC, ctrD, synA, synB or synC gene.

- VI. Claim 31, drawn to methods of making a genetically engineered neisserial strain with an L2 immunotype of reduced phase variability by modifying the homopolymeric nucleotide tract of a phase-variable IgtA and/or IgtG LOS oligosaccharide synthesis gene and downregulating the expression of the gene product of the msbB or htrB gene.
- VII. Claims 1, 5, 32-33, 42, 45-48, and 52, drawn to methods of isolating L2 LOS.
- VIII. Claims 34-36, 49-52, 54, 56, 58-60, drawn to methods of isolating neisserial blebs having an L2 LOS immunotype.
- IX. Claims 1-2, 18, 37-38, and 43, drawn to methods of isolating L3 LOS.
- X. Claims 39-41, 55, and 57, drawn to methods of isolating neisserial blebs having an L3 LOS immunotype.
- XI. Claims 44 and 53, drawn to methods of making a multivalent immunogenic composition, comprising producing L2 LOS, producing isolated neisserial blebs having an L2 LOS immunotype, producing L3 LOS, producing isolated neisserial blebs having an L3 LOS immunotype, and mixing said components with a pharmaceutically acceptable excipient.

Applicants elect Group IX (Claims 1-2, 18, 37-38 and 43) with traverse, for the reason that Claims 4 and 20-27 should also be included within Group IX. Applicants note that Claims 4 and 20-27 depend from and require all the limitations of the process claims of the elected invention and respectfully request examination of these additional claims. Applicants additionally request examination of amended claims 45-48 which are now directed to L3 LOS, versus L2 LOS.

Gene Election Requirement Applicable to All Groups

In addition, a further Gene Election Requirement Applicable to All Groups has been made:

If applicant elects one of Groups I-III or VII-XI, applicant must further elect IgtA and/or IgtG.

If applicant elects Group IV, applicant must further elect IgtA and/or IgtG, as well as IgtB or IgtE.

If applicant elects Group V, applicant must further elect IgtA and/or IgtG, as well as saiD, ctrA, ctrB, ctrC, ctrD, synA, synB or synC.

If applicant elects Group VI, applicant must further elect IgtA and/or IgtG, as well as msbB or htrB.

Applicants further elect gene IgtA for Group IX.

The Examiner further suggests that it is not clear whether the claims are meant to be a method of making a genetically engineered neisserial strain or a method of isolating LOS. In light of the elected invention, Applicants have amended independent Claim 1 to make clear that it is directed to a process of isolating LOS.

Pending Claims 1-2, 4, 20-27, 38, 43 and 45-48 read on the elected invention.

When the process claims of the elected invention are found to be allowable, Applicants respectfully request rejoinder of process claims that are dependent from or otherwise include all the limitations of the allowed process claims as required by MPEP § 821.04(a).

Applicants expressly reserve the right to prosecute the subject matter in the non-elected claims, originally filed claims, or any other claims supported by the specification in one or more continuing applications.

CONCLUSION

Applicants elect Group IX and IgtA with traverse (Claims 1-2, 4, 20-27, 38, 43 and 45-48).

Should any outstanding issues remain, the Examiner is encouraged to contact Applicants' undersigned representative.

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Date: April 8, 2008
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